

EGMF position paper

Outdoor Noise Directive Review: fix test codes issues first

3 March 2021

EGMF is the European federation representing major manufacturers of garden, landscaping, forestry and turf equipment. The garden and outdoor power equipment industry represents a very wide variety of equipment. In addition, a single category of equipment covers a large range of products in terms of size, and consequently users: consumers and professionals.

EGMF members are heavily impacted by the Outdoor Noise Directive (OND, 2000/14/EC): Today, garden and outdoor power equipment represents more than a quarter of all the equipment falling under the OND scope. Some equipment is subject to labelling requirements only, such as brush cutters, chain-saws, grass trimmers, hedge trimmers and shredders. Other types are also bound by noise emission limits, such as lawnmowers and lawn-edge trimmers.

EGMF is in agreement with the main outcomes of the evaluation process and its main conclusions. In general terms, the directive has been effective, efficient, relevant, coherent and the EU framework remains the most appropriate approach. EGMF believes that the evaluation conclusions correctly pointed out the lack of adaptation to technical progress, notably regarding conformity assessment procedures and measurement methods.

Also, EGMF welcomes the open debate on the future of the OND, notably about the two options for the revision put forward by the European Commission.

In this context, EGMF supports a revision of the OND Annex III to update the measurement methods, through a delegated act, rather than a full revision of the legislation.

We fully acknowledge that a revision of the OND Annex III will not solve all aspects, such as the conformity assessment procedures. Nevertheless, this approach will tackle the most urgent issue: outdated noise measurement methods (so called 'test codes'). It is necessary to update them to better reflect technical progress in the industry and European standardisation.

A faster and lighter procedure

Revising the OND Annex III through a delegated act will allow addressing the most urgent issue in a quicker and easier manner compared to a full revision procedure.

This will be beneficial for all impacted industries as well as national and European authorities as this procedure requires less resources. Participating in the preparatory process for revising the OND in a comprehensive and meaningful manner will be very demanding in terms of expertise. The proper contribution of all stakeholders is essential to shape a balanced regulatory framework.



The whole European economy was severely hit in 2020. Today, our companies are dedicating all available resources to recover from the multiple disruptions caused by this unprecedented crisis.

This negatively impacts the availability of industry experts to contribute to consultations, questionnaires and developing association positions. Moreover, the industry expertise is already mobilised by other ongoing processes, notably the revision of the Machinery Directive (2006/42/EC), the future harmonised requirements on road circulation and the implementation of the Circular Economy Action Plan.

Additionally, addressing the outdated Annex III measurement methods through a delegated act will bring positive results in a much shorter timeframe than if a full revision of the OND was to occur. Since a revision through the delegated act route would not involve the time-consuming co-decision procedure that would be necessary for a full revision, a delegated act would provide the quickest method to address the most pressing concerns raised in the evaluation study. This will be of benefit to all stakeholders.

The need to focus on EU recovery

The European Commission aims to support the European recovery, while achieving the digital and climate transition objectives. Therefore, we firmly believe that European resources and work on regulatory measures should support the recovery.

All initiatives should be assessed or re-assessed in the light of these objectives. We strongly question whether a full revision process of the OND would contribute to the EU recovery, while supporting the competitiveness of our industry.

In this context, a full revision of the OND would allow the elimination of unnecessary administrative burden, notably by revising the conformity assessment procedures and enabling self-certification for all equipment. Moreover, a full revision will also reconsider current noise limits.

Driven by innovation and market forces, our companies have been ahead of the curve to develop high performing equipment, for example enhancing the electrification of the garden and outdoor power equipment sector. Innovations in all technologies are contributing to the reduction of the average overall noise emissions of our equipment, especially in residential areas.

However, further reducing the noise limits could have negative, unintended consequences. As explained in detail in our previous position paper¹, stricter noise limits are likely to negatively impact the performance of equipment, thus reducing the efficiency of our equipment, and the safety of our equipment.

In parallel, reconsidering some noise limits would be necessary as they are too restrictive and hamper the placing on the EU market of innovative equipment, such as more powerful electrical lawn-trimmers.

¹ EGMF Position paper: *Outdoor Noise Directive Review: EGMF views on the future Regulation*, 8 January 2019, <https://egmf.org/wp-content/uploads/2019/02/EGMF-Position-Paper-input-on-OND-review-2019.01.08-V2-1.pdf>



It should also be noted that the power source of the equipment has no impact on the process noise. The process noise is generated by the work process of the equipment, such as material to be shredded or movement of cutting means. Moreover, it is necessary to continue offering different technologies to select the most appropriate product according to user's needs.

In addition, noise emissions cannot be considered in isolation from the overall EU legislative environment, especially the Non-Road Mobile Machinery (NRMM) engine exhaust emissions Regulation (EU) 2016/1628.

In conclusion, EGMF's view is that these negative aspects on equipment, the latest innovation in our industry and the broader legislative framework need to be carefully considered, which will take considerable time and a lot of resource to assess. We therefore feel that the best policy option for addressing the most urgent demands will be to focus only on updating Annex III of OND in the immediate future.

A better coherence with Machinery Directive

As highlighted in the European Commission conclusions on the OND evaluation, manufacturers of garden and outdoor powered equipment must comply with many different pieces of legislation. In some cases, these different requirements result in the duplication of tests and in contradictory technical constraints.

Considering the revision of OND measurement methods would take place in parallel to the revision of the Machinery Directive, this offers the opportunity to align references to standards.

Regarding garden and outdoor power equipment, product specific OND standards are often the same harmonised standards that provide a presumption of conformity to the Machinery Directive. Reference to the same harmonised standards in both the OND and the Machinery Directive should become the rule. This would avoid a duplication of measurements with a resulting inefficient use of human and financial resources.

The revision of OND Annex III will contribute to the overall coherence and simplification of the EU legislative framework, in line with the EU Better regulation agenda.

Revision of measurements methods

In the context of the revision of measurements methods, we strongly advocate to remove detailed descriptions of test codes from the directive and its annexes. Instead, we suggest listing references to up-to-date standards, which include the description of the test procedures. Concretely, future delegated acts amending OND Annex III should only indicate reference to standards. This will help to align the future legislation with changes in standardisation.

Despite resource constraints, we firmly believe that stakeholders must be involved in the drafting process of such delegated acts, including their future revision, to reflect the state of art of the standardisation work.

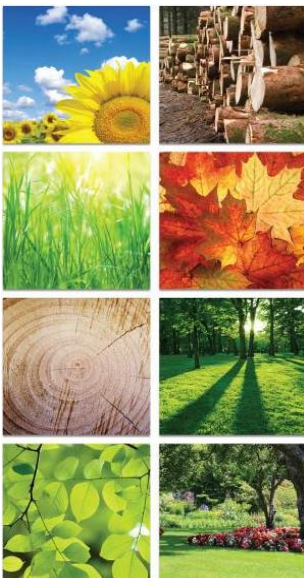


In addition, the industry expertise is also necessary to identify impacts of changes in measurement method on the measured noise value. Such impacts cannot be generalised and must be assessed for each type of equipment. Considering the boundaries of powers delegated to the European Commission according to OND Article 18a, we acknowledge that measurement methods will not be updated for all equipment subject to noise limits (Article 12).

Indeed, for a few types of equipment subject to noise limits, updating measurement methods would result in an increase in the measured noise value, despite the actual noise emission remaining unchanged. Since the noise limit value cannot be raised to reflect this change, the increase in measured value would, in some cases, require significant modification of existing machinery in order to compensate for the increase in measured value. Detailed explanations and examples have been provided in our previous position papers².

In this context, EGMF would like to assist the European Commission to update the measurement standards with adaption to state of the art. To this end, EGMF already provided a list of relevant test code standards for garden and outdoor power equipment in January 2019, including an estimation of the impact to the noise values. Considering that standardisation work is constantly evolving, EGMF will communicate any updated information when new standards are published.

For further information, please contact: EGMF Secretariat, secretariat@egmf.org



The European Garden Machinery Industry Federation – EGMF – has been the voice of the entire garden machinery industry in Europe since 1977. With 30 European corporate members and 7 National Associations representing manufacturers of garden, landscaping, forestry and turf maintenance equipment, we are the most powerful network in this sector in Europe.

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² EGMF Position paper: *Outdoor Noise Directive Review: EGMF views on the future Regulation*, 8 January 2019, <https://egmf.org/wp-content/uploads/2019/02/EGMF-Position-Paper-input-on-OND-review-2019.01.08-V2-1.pdf>;
EGMF Position paper: *EGMF comments on the ODELIA Final study report*, 2 June 2016, <https://egmf.org/wp-content/uploads/2017/03/EGMF-PP-OND-review-Final-ODELIA-report-160602.pdf>

